

(2) Fares shall not be stated as percentages of base fares for the purpose of establishing fares applying from and to points, or via routes, or on types of aircraft, or for classes of service different from the points, routes, types of aircraft, or classes of service to which the base fares are applicable.

(3) Fares stated as percentages of base fares shall refer to a conversion table complying with paragraph (e) of this section for the purpose of determining the amounts of such fares in dollars and cents represented by the published percentages of the base fares.

(e)(1) A conversion table shall be published in the fares section of the tariff containing the base fares or, if that tariff is governed by a rules tariff, the table may be published after the last rule therein. The conversion table shall contain in the first column, in numerical order ranging from the lowest to the highest amounts, the amounts of all the base fares on which the percentages are to be applied. Each of the other columns shall be captioned with a percentage corresponding to a percentage in which a fare is stated. In each of the percentage-captioned columns and directly opposite each base fare, the amount in dollars or cents represented by the stated percentage of the respective base fare shall be shown. Such columns shall be arranged in numerical order (according to percentage). A clear and definite explanation of how to use the conversion table shall be shown in connection therewith.

(2) Instead of showing in the first column all base fares from the lowest to the highest, the table may contain in the first column \$0.05 and all multiples thereof to and including \$1.00 and all multiples of \$1.00 to and including \$100.00 with a plainly stated rule for using, in combination, amounts ascertained in the percentage columns for the separate portions of the base fare. The rule shall provide, for example, that if the base fare is \$7.65, the percentages for \$7.00 and \$0.65 are to be ascertained separately and combined.

**§ 221.60 Conflicting or duplicating rates or fares prohibited.**

The publication of rates or fares of a carrier which duplicate or conflict with the rates or fares of the same carrier

published in the same or any other tariff for application over the same route or routes is hereby prohibited.

**§ 221.61 Provisions for alternative use of or precedence of rates or fares prohibited.**

Except as specifically authorized otherwise in this part, a tariff containing rates or fares shall not contain nor be made subject to any tariff provisions to the effect that rates or fares in such tariff take precedence over or apply alternatively with other rates or fares in the same or any other tariff, or that the rates or fares in any other tariff take precedence over or alternate with the rates or fares in such tariff.

**§ 221.62 [Reserved]**

**§ 221.63 Applicable rate when no through local or joint fares or rates.**

(a) *Lowest combination fare or rate applicable.* Where no applicable local or joint fare or rate is provided from point of origin to point of destination over the route of movement, whichever combination of applicable fares or rates provided over the route of movement produces the lowest charge shall be applicable, except that a tariff may state that a fare or rate cannot be used in any combination or in a combination on particular traffic or under specified conditions, provided another combination is available.

(b) *Date governing combination fares or rates.* A combination fare or rate for through transportation shall be treated as a unit (single-factor fare or rate) from point of origin to final destination. The combination fare or rate applied shall be the combination of the intermediate fares or rates in effect on the date on which the passenger begins his transportation or shipment was received by the carrier and all of the rules and other tariff provisions applicable to each intermediate fare or rate in effect on such date shall be observed and cannot be varied as to that passenger or shipment during the period of transportation to final destination; except that in foreign or overseas air transportation, carriers may, by appropriate tariff rules, provide for application of combination fares in effect on date of sale of ticket for transportation commencing not later than 30 days

after the effective date of an increase in any intermediate fares when such transportation is sold prior to the issue date of tariffs stating increased fares, and provided that each factor of the combination is subject to like tariff provisions.

### Subpart F—Requirements Applicable Only to Statements of Property Rates

#### § 221.70 Definite unit of rate.

(a) All rates for the air transportation of property shall be clearly and explicitly stated in cents or dollars per pound, per 100 pounds, per kilogram, per ton of 2,000 pounds, per ton of 2,240 pounds, per United States gallon, or other definite unit of weight, measurement or value except that:

(1) [Reserved]

(2) Rates stated to apply on specific types of animals may be stated in cents or dollars per animal.

(b) When rates are stated in units of cubical measurement, such as per cubic foot, the tariff containing such rates, or its governing rules tariff, shall explicitly state how the cubical measurement of the articles shipped (including irregular shaped articles) is to be determined.

(c) Rates shall not be stated to apply per package or other shipping unit unless definite specifications as to size, weight, or capacity of the package or other shipping unit is specified in the tariff. This rule does not prohibit the publication of charges or rates other than by units for accessorial services performed by the carrier.

(Secs. 102, 204, 403, and 416 of the Federal Aviation Act of 1958, as amended by Pub. L. 95-504, 72 Stat. 740, 743, 758, and 771, 92 Stat. 1731, 1732; 49 U.S.C. 1302, 1324, 1373, and 1386)

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1125, 44 FR 33059, June 8, 1979]

#### § 221.71 Quantities on which rates apply.

(a) *Quantities shall be specified.* When rates for the air transportation of property are to apply only on particular quantities, such quantities shall be specified in the tariff in connection with the rates or, in the case of class rates, they may be stated in connec-

tion with the class ratings. Such quantities shall be stated in the same unit of weight or measurement as the rate; for example, rates stated in cents per pound shall be subject to minimum weights in pounds, rates stated in cents per kilogram shall be subject to minimum weights in kilograms. The published quantities to which rates are subject may be stated as minimum quantities (for example, minimum weight — pounds), or they may be stated in the form of quantity groups (for example, weight groups of "under 100 pounds", "100 pounds and over but less than 3,000 pounds", "3,000 pounds and over but less than 10,000 pounds", and "10,000 pounds and over"). These particular weights are shown for purposes of illustration only. This provision does not prohibit the publication of specific minimum charges in lieu of or in addition to minimum quantities.

(b) *Different rates subject to different quantities.* Different rates on the same commodities from and to the same points subject to different minimum quantities or quantity groups may be published provided the following requirements are complied with:

(1) A lower rate shall be provided on a greater minimum quantity or quantity group.

(2) A tariff containing such rates or its governing rules tariff shall contain a rule to the effect that when two or more rates subject to different minimum quantities are provided on the same commodity in the same shipping form from and to the same points over the same route, the lower of the two charges specified under paragraph (b) (2) (i) and (ii) of this section shall be applied:

(i) The charge computed on the quantity shipped at the rate applicable to such quantity, or

(ii) The charge computed on the next greater quantity, for which a lower rate is provided at the rate applicable to such greater quantity.

(3) All such rates of the same type (class, specific commodity, or general commodity) applying on the same commodities from the same point of origin to the same point of destination via the same route shall be published together continuously on one page or two or more successive pages or in one